

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of Bernard  
L. Madoff,

Plaintiff,

v.

SONJA KOHN, et al.,

Defendants.

SIPA LIQUIDATION

No. 08-01789 (SMB)

(Substantively Consolidated)

Adv. Pro. No. 10-05411 (SMB)

**STIPULATION AND ORDER ALLOWING TRUSTEE TO FILE  
THIRD AMENDED COMPLAINT**

WHEREAS, on November 26, 2014, plaintiff Irving H. Picard, Trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff (the “Trustee”) filed a Motion for Leave to File a Third Amended Complaint (the “Motion to Amend”) (ECF Nos. 282–83);

WHEREAS, the Trustee attached to his Motion to Amend a proposed third amended complaint (ECF No. 282-1);

WHEREAS, Sonja Kohn, Infovaleur, Inc. and Tecno Development & Research, Ltd. (the “Remaining Defendants”) have not yet responded to the Trustee’s Motion to Amend;

WHEREAS, the Trustee seeks to file an updated third amended complaint;

WHEREAS, the Remaining Defendants consent to the Trustee filing the updated Third Amended Complaint (Third Amended Complaint”);

IT IS HEREBY STIPULATED AND AGREED, by and between the Trustee and the Remaining Defendants, by and through their undersigned counsel, that:

1. The Trustee shall file his Third Amended Complaint as it appears in Exhibit 1 to this Stipulation upon approval of this Stipulation by the Court;
2. The Remaining Defendants shall file their motion to dismiss the Third Amended Complaint on or before May 31, 2019.
3. The Trustee shall file his Opposition to the Remaining Defendants’ Motion to Dismiss on or before July 1, 2019.
4. The Remaining Defendants shall file any Reply to the Trustee’s Opposition to the Motion to Dismiss on or before July 22, 2019.

Undersigned counsel for the Defendants represents that service of process of the summons and Complaint on the Defendants has been completed, and hereby waives any defenses based on insufficiency of process or insufficiency of service of process on behalf of the Defendants.

Except as expressly set forth herein, the parties to this Stipulation reserve all rights and

defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: March 25, 2019  
New York, New York

**BAKER & HOSTETLER LLP**

By: /s/ Keith R. Murphy

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*Attorneys for Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate  
of Bernard L. Madoff*

**NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER,  
P.A.**

By: /s/ Nathan D. Adler

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*Attorneys for Defendants Sonja Kohn,  
Infovaleur, Inc. and Tecno Development &  
Research Ltd.*

SO ORDERED this 25<sup>th</sup> day of March, 2019.

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE